



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/405,807	09/24/1999	JOHN R. ECKEL JR.	44660-00001	9931

26231 7590 12/29/2004

FISH & RICHARDSON P.C.  
5000 BANK ONE CENTER  
1717 MAIN STREET  
DALLAS, TX 75201

EXAMINER
----------

GARG, YOGESH C

ART UNIT	PAPER NUMBER
----------	--------------

3625

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/405,807

Applicant(s)

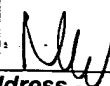
ECKEL, JOHN R.

Examiner

Yogesh C Garg

Art Unit

3625



— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-84 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-84 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's amendment, received on 9/7/2004 is acknowledged and entered. Claims 1, 2, 4-6, 18, 25, 34, 37, 73-75 and 80 are amended. New claims 81-84 have been added. Currently claims 1-84 are pending for examination.

### *Response to Arguments*

- 2.1 In response to applicant's amendments to claims 1 and 18 and arguments filed on 9/7/2004 (see Remarks, page 20) the rejection of claims 1-24, 34-36, 69-70, 73-75 and 80 under 35 U.S.C.112, first paragraph, is withdrawn.
- 2.2 Applicant's arguments with respect to the amended claims 1-80 and new claims 81-84 filed on 9/7/2004 (see Remarks "B" on page 20-22 and "E" on pages 24-25 that cited references fail to teach or suggest the claimed techniques of Independent claims 1, 18, 25 and 37 and new claims 81-84) have been considered but are moot in view of the new ground(s) of rejection necessitated due to the amendments.
- 2.3 Applicant's arguments with respect to independent claims 45, 53 and 61 filed on 9/7/2004 (see Remarks "D", page 20-22 that cited references fail to teach or suggest the claimed techniques of Independent claims 1, 18, 25 and 37) have been considered but are not persuasive. Claims 45, 53 and 61 are directed to an apparatus, methods, and systems for receiving: a request, which constitutes of a domain name, the domain name includes the subject of the request pertaining to goods or services desired by the user; and the domain name is an access to a service provider which acts as an intermediary between the user and service providers such that the intermediary server has a database which includes the personal

information previously provided by the users and helps in selecting the providers as per the personal preferences of the user to complete a transaction between the user and the selected provider and further updating the stored personal information of the user, which can be used in a subsequent transaction with a different selected provider .

The prior art already exists which render these limitations obvious. The examiner refers to the prior arts of Click4 (Business editors, " Click4 Network launches one million dollar Internet Service Giveaway"; Business Wire; New York; April 26, 1999; pg.1 extracted on Internet from proquest database on 4/30/2004, hereinafter, referred to as Click4), Dean and Traderonline. Out of these prior art references, the latter two already have been used in the earlier Office actions. Both Click4 and Traderonline teach using a domain name, associated with an intermediary between the service providers and the users, as a request for his goods or services such as [www.Click4tickets.com](http://www.Click4tickets.com), or [www.Clcik4insurance.com](http://www.Clcik4insurance.com), [www.Clcik4flowers.com](http://www.Clcik4flowers.com), [www.Clcik4cruises.com](http://www.Clcik4cruises.com), or [www.boattraderonline.com](http://www.boattraderonline.com), or [www.autotraderonline.com](http://www.autotraderonline.com) or [www.trucktraderonline.com](http://www.trucktraderonline.com) etc. These domain names include the fields, such as tickets, insurance, flowers, cruises, boats, autos, etc. which include the identification of the subject required by the user without specifying a specific provider, the common domain name element as Clcik4 or Traderonline associated with the plurality of domain names and the web sites of these domain names include databases including information about the products and services. The reference Dean discloses storing personal preferences of the users and to use the personal preferences to provide services to the user.

2.4. Applicant's arguments that there is no suggestion or motivation to combine the cited references of Traderonline and Dean filed on 9/7/2004 (see Remarks "C", page 22-23 ) have been considered but are not persuasive. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be

Art Unit: 3625

established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case the examiner has used Dean reference to modify the teachings of Traderonline to produce the claimed invention where there is teaching, suggestion or motivation found in the reference of Dean, that is to provide customized/personalized services to users when making transactions online as shown in the previous office action on pages 9-10.

This is a Final Office action.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3.1. Claims 1-4, 6-7, 9-11, 18-21, 24, 34, 36, 53-55, 61-63, 69-70, and 81-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline in view of Dean and further in view of Wells et al. (US Patent 6,446,048 B1), hereinafter referred to as Wells.

With regards to claims 1-3, 9, 18-21, 24, 53-54, 61-62, and 81-84, Traderonline discloses a method and a system comprising: receiving a request initiated by a consumer,

transmitted over a global communication network to a system associated with the plurality of domain names, wherein the request includes one of the plurality domain names each of which includes a common domain name element and an identification of a subject of the request, using a name linking module for identifying , responsive to the received request, at least one name of at least one provider; and a controller for forwarding the identified at least one name of the at least one provider to said consumer, wherein said consumer chooses a provider from the identified at least one provider to communicate therewith, and that the subject matter information is maintained by the system in a database accessible by all domains of the system (at least see, see pages 1,2,3, and 4. Traderonline discloses that a customer can send a request through Internet with a domain name like autotraderonline.com or Boatraderonline.com where the common domain element is Traderonline, subject is boat or auto and the extended domain name com. The subject, boat or auto identifies the goods/services requested. The domain name does not identify the provider. The examiner would like to notify that when a customer enters a domain name intuitively such as "www.boatraderonline.com" this step is same as selecting at least a domain name. On Page 1, Traderonline discloses that there are twenty Internet sites covering automotive, aircraft.....motorcycle ... general merchandise categories. On receipt of the customer's request the site searches the database and provides the name of providers on a web page., "*.. Traderonline.....has a complete Internet presence with twenty Internet sites covering the automotive, aircraft.....general merchandise categories....All can be accessed through www.traderonline.com....*". Note: Consumer/user can specify Boat Traderonline.com or Big Truck Traderonline.com or Auto Traderonline.com and accordingly he would be guided to any of these providers after accessing www.traderonline.com. These domain names include the fields, such boats, autos, motorcycle, etc. which include the identification of the subject required by the user, the common domain name element as

Traderonline associated with the plurality of domain names and the web sites of these domain names include databases including information about the products and services ).

The above teachings of Traderonline also reads upon the recited limitation in claims 53 and 61 that the said request having a single set of characters forming a plurality of fields, a first field having a common name as between different requests and a second field identifying a type of goods or services without identifying a specific provider thereof (Traderonline teaches using a domain name, associated with an intermediary between the service providers and the users, as a request for his goods or services such as www.boattraderonline.com, or www.autotraderonline.com or www.trucktraderonline.com etc. These domain names include the fields, such as tickets, insurance, flowers, cruises, boats, autos, etc. which include the identification of the subject required by the user without identifying the provider, the common domain name element as Clcik4 or Traderonline associated with the plurality of domain names and the web sites of these domain names include databases including information about the products and services).

Traderonline further teaches comprising an intermediary and that intermediary is associated with the at least one domain name ( see at least page 1 where Traderonline discloses that visitors, which correspond to consumers are allowed to access the marine related web sites by accessing the Boat trader Online database. This disclosure makes it evident that the boattraderonline website acts as an intermediary). Traderonline teaches that the global communication network is the Internet (see at least page 1, " Industry: Internet Multimedia Online ").

Traderonline also teaches maintaining a database associated with a plurality of domain names (see page 1, " Trader Online [www.Traderonline.com] has a complete Internet presence with twenty Internet sites covering the automotive, aircraft, boat....." And the domain names of

Art Unit: 3625

these websites such as [www.boattraderonline.com](http://www.boattraderonline.com), or [www.autotraderonline.com](http://www.autotraderonline.com) or [www.trucktraderonline.com](http://www.trucktraderonline.com) etc, shown on pages 3-5 correspond to a plurality of domain names which are part of the [www.Traderonline.com](http://www.Traderonline.com) ).

Traderonline suggests completing a transaction between the consumer and a provider selected from the identified at least one provider (see at least page 1, " The marine website offers visitors the opportunity to search for boats through simple parameters.....when the desired boat becomes available.....". Note: searching for boats at Boat Trader online website and being able to locate a boat as desired corresponds to completing a transaction between the consumer and the selected provider, that is Boat trader online out of the listed twenty different Internet sites)

Traderonline does not teach maintaining personal information relating to a consumer in the database, the personal information having been previously provided by the consumer and including preferred providers identified by the consumer or by the prior purchases thereby selecting, responsive to the received request, initiated by the consumer and based upon the request and the preferred providers in the database, at least one name of at least one provider and forwarding the selected at least one name of the at least one provider from said system to said consumer, wherein said consumer is subsequently capable of choosing a provider from the selected at least one provider to communicate therewith. However, in the same field of endeavor of storing personal preferences of consumers, Dean discloses maintaining personal information relating to a consumer in the database,, the personal information having been previously provided by the consumer and including preferred providers identified by the consumer or by the prior purchases thereby selecting, responsive to the received request, initiated by the consumer and based upon the request and the preferred providers in the database, at least one name of at least one provider and forwarding the selected at least one



Art Unit: 3625

name of the at least one provider from said system to said consumer, wherein said consumer is subsequently capable of choosing a provider from the selected at least one provider to communicate therewith (at least see, Fig.3, "Contacts Supplier 1...Supplier 5", Fig.4 and col.6, lines 1-67. , "Referring to FIG.4...stored data in a database 400...stores the user data in database 400...user data specifies personal preferences or other information as described above...The processor operates a set of search...searches the user data ....indicating personal preferences of information.....correspond to the identified data types such as ...data describing services available from....service providers..". Note: Suppliers 1,2...5, listed in Fig.3 correspond to the preferred providers identified by the consumer. See, col.5, lines 2-17, "...The gateway devices connect to appropriate...public switched telephone network 105, or a cable TV network 106,...or an on-line service.....Compuserve @.wide area network 107.....Internet 108...". Also see col.6, line 41-col.7, line 43, "... The user data specifies personal preferences.....The database also stores a set of service data comprising a list of electronic addresses...for retrieval....leisure interests, travel arrangements, local restaurants.....processor operates a set of search and display algorithms...searches user data ....personal references...retrieves data items...displays ..on a user interface....").

In view of Dean, it would have been obvious to a person of an ordinary skill in the art to have modified Traderonline at the time of the applicant's invention to have incorporated the features of maintaining personal information relating to a consumer in the database, the personal information having been previously provided by the consumer and including preferred providers identified by the consumer or by the prior purchases thereby selecting, responsive to the received request, initiated by the consumer and based upon the request and the preferred providers in the database, at least one name of at least one provider and forwarding the selected at least one name of the at least one provider from said system to said

consumer, wherein said consumer is subsequently capable of choosing a provider from the selected at least one provider to communicate therewith. Doing so would help the Traderonline method and system to provide customized/personalized electronic services to users when making transactions online, as explicitly disclosed in Dean.

Regarding newly added limitation, that is updating the personal information based on the completed transaction, wherein the updated personal information is accessible by the system for use in connection with a subsequent request initiated by the consumer that includes a different one of the plurality of domain names, with the domain name included in the subsequent request including an identification of the subject of the subsequent request, Traderonline discloses making requests using different domain names domain names of these websites such as www.boattraderonline.com, or www.autotraderonline.com or www.trucktraderonline.com etc, shown on pages 3-5 [correspond to a plurality of domain names which are part of the www.Traderonline.com ]. Based on this disclosure of Traderonline it would be possible to make subsequent request to a different website by the same user such as the first request could be www.boattraderonline.com and a subsequent request could be to www.autotraderonline.com . Traderonline in view of Dean does not disclose updating the personal information based on the completed transaction, wherein the updated personal information includes payment information/personal preference and is accessible by the system for use in connection with a subsequent request initiated by the consumer/identifying a provider/completing a transaction. However, in the field of same endeavor, Wells discloses these missing limitations (see at least col.4, lines 53-57, "*..... establishing a user-specific profile on a web-site which is accessible via a global communication network and which has an associated database for storing financial transaction information received from a plurality of users. .... The database profile can then be periodically updated, for example, each time a user connects to the web-site. ....*", and col.15, lines 36-53, "*..... The status of each transaction is dependent on the last*

*transaction information received from client computer.sub.n 106. The status is either downloaded or not downloaded. Server 121 determines which transaction should be downloaded to computer.sub.n 106 based on the last transaction information received from computer.sub.n 106.....".* As regards using personal preferences, see col.4, lines 1-26, wherein the user's unique profile or user-specific profiles correspond to profiles including user's preferences ). In view of Wells, it would have been obvious to one of an ordinary skill in the art at the time of the applicant's invention to have modified Traderonline in view of Dean's to incorporate Well's teachings of updating the personal information based on the completed transaction, wherein the updated personal information includes payment information/personal preference and is accessible by the system for use in connection with a subsequent request initiated by the consumer /identifying a provider/completing a transaction because the system would be able to use the updated financial information of the user in the subsequent transactions.

With regards to claims 4, 6-7, 10-11, 34, 36, 55, and 63, Traderonline in view of Dean and furtehr in view of Wells further teaches:

creating a customized presentation for use by said consumer, said customized presentation containing the selected at least one name of the at least one provider; using a name linking policy to select the at least one provider while utilizing one or combination of subject matter information, demographic information and geographic information, and the customized presentation is selected from the group consisting of: web page, Wireless Application protocol, and other data communication formats (see at least Dean, Fig.3, "...Leisure Sports TV preference...Theatre....Stocks.....Bonds" correspond to subject matter information from the consumer's database to select and link a provider as already analyzed in claim 2 above, Fig.4 and col.6, lines 3-13, "... The user specific data is categorized into data types, such as ...leisure, business and address book....data services may be obtained .....",

Art Unit: 3625

col.6, line 41-col.7, line 43, "... *The user data specifies personal preferences.....The database also stores a set of service data comprising a list of electronic addresses...for retrieval....leisure interests, travel arrangements, local restaurants.....processor operates a set of search and display algorithms...searches user data....personal references...retrieves data items...displays ..on a user interface...*", and col.4, lines 42-67). In view of Dean, it would have been obvious to an ordinary skill in the art at the time of the applicant's invention to have modified Traderonline to have incorporated the above teachings of Dean because to help the Traderonline method and system to provide customized/ personalized electronic services to users when making electronic transactions by providing the convenience, flexibility and design choice of using the existing either land based or wireless communications, as explicitly disclosed in Dean).

With regards to claims 69-70, Traderonline in view of Dean and further in view of Wells teaches that consumer requests can be received from either a desktop device or a hand-held device capable of communicating information (at least see Dean, *col.5, lines 2-6, "...a plurality of user interfaces for example telephone handsets 101, and video monitors 102..."*). In view of Dean, it would have been obvious to an ordinary skill in the art at the time of the applicant's invention to have modified Traderonline to have incorporated the above teachings of Dean because to help the Traderonline method and system to provide the convenience, flexibility and design choice of using the existing either desk-top based or hand-held devices, as explicitly disclosed in Dean.

Note: Regarding claims 53-55 and 61-63, they do not require the combination of Wells reference as these claims do not include the new limitations added to claims 1 and 18.

3.2. Claims 5, 22-23, are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline in view of Dean in view of Wells and further in view of Turner, Rob ("The price is right ", Money; New York; May 1999, extracted from Internet on 04/04/2002).

With regards to claims 5, and 22-23, Traderonline/Dean/Wells teaches a method and system as disclosed in claims 1, and 18 respectively. Traderonline/Dean/Wells fails to teach using the criteria of price comparison and availability about goods and services offered by the provider in selecting the provider. However, in the same field of selling on the Internet, Turner discloses providing comparative pricing and availability about goods and services offered by the provider (at least see, page 1, last paragraph "...*Fortunately, you can make the Internet do the work for you.....many new price comparison Websites.....*"). In view of Turner, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to modify Traderonline/Dean/Wells to combine the features of Turner i.e. using the criteria of price comparison and availability about goods and services offered by the provider in selecting the provider. Doing so would help customers to find great deals and bargains on the Internet as suggested by Turner (at least see, page 1, "...*unearth bargains.....With Thousands of Websites.....there are more ways than ever to find great deals.....*") and save money.

3.3. Claims 8, 12, 14-16, 35, 45-47, 50-52, 72 and 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Wells and further in view of Daly et al. (US Patent 5,878,141), hereinafter, referred to as Daly.

With regards to claims 8, 12, 14-16, 35, and 80, Traderonline/Dean/Wells teaches a method and an apparatus as disclosed in claim 1. Traderonline/Dean/Wells further discloses storing consumer provided personal information relating to personal preferences and privacy instructions and using these personal information of the consumer to select at least one or more

provider as analyzed above in claims 4, 6-7 above. Traderonline/Dean/Wells does not disclose storing payment instructions using a card number or predetermined payment arrangement, making payment as per instructions such that to complete the transactions using a payment method of the system/card number of the system and re-bill said consumer, tracking and awarding rewards.

However, Daly, in the field of electronic commerce and payments, discloses storing payment instructions using a card number or predetermined payment arrangement, making payment as per instructions such that to complete the transactions using a payment method of the system/card number of the system and re-bill said consumer, tracking and awarding rewards (at least see, abstract, “*..The purchaser database stores information...purchaser...a set of personal payment methods.....goods/services...*”, col.3, lines 1-5, “*...for obvious reasons, it is in the purchaser's interest not to reveal his/her bank account or credit card information to the merchant.....*”, col.4, lines 19-29, “*....The processor then computes an intersection...the processor consummates the sale and signs....completed transaction has occurred....*”, col.5, line 61-col.6, line 24, “*..The purchase database stores a set of personal payment methods....credit cards....*”, col.7, lines 41-47, “*...The software-controlled processor is a trusted third-party...acts as an electronic mediator...without revealing confidential account information to either one...*”, col.8, lines 13-20, “*..The trusted processing unit and payment method...without revealing the purchaser's wallet to the merchant.....agreed by the purchaser..*”, col.8, lines 47-61, “*..If the purchaser...this digital signature assures the merchant...*” col.10, lines 33-49;’ .FIG.4 shows a more detailed ..financial transaction system....establish pricing and discounting information...pricing system might also use information in the subscriber database for features such as coupons or frequent buyer programs...”, col.11, lines 7-22, and col.13, line 66-col. 14, line 9, “*... The transaction routing system selects a subscriber...Appropriate credit and debit*

*entries are made in general ledger...These are example system 88 and....submitting a bill to the subscriber and posting the appropriate transaction in the acquiring account (such as a credit card account)....account ". Note: tracking the coupons and frequent buyer programs in the database corresponds to tracking the reward programs.).*

In view of Daly, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to combine its features of storing payment instructions using a card number or predetermined payment arrangement, making payment as per instructions such that to complete the transactions using a payment method of the system/card number of the system and re-bill said consumer, tracking and awarding rewards in Traderonline/Dean/Wells. Doing so would help the Traderonline/Dean/Wells system in customizing and protecting the information displayed by a consumer to the intermediary to complete electronic transactions, as suggested by Daly (at least see, col.3, lines 49-53) and also to take advantage of reward system, if any, as further suggested by Daly (at least see, col.10, lines 33-49).

With regards to apparatus claim 45-47, 50-52, and 72, all limitations are closely parallel to the limitations already covered in the limitations of claims 1, 4, 8, 10, 12, 18, 53, 61 and 70 above and are therefore, analyzed and rejected as being unpatentable over Traderonline/Dean/ and further in view of Daly on the basis of same rationale. Note: Regarding claims 53-55 and 61-63, they do not require the combination of Wells reference as these claims do not include the new limitations added to claims 1 and 18:

3.4. Claims 13 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Wells/Daly and further in view of Matsuoka (US Patent 6,038,537).

With reference to claims 13 and 48, Traderonline/Dean/Wells/Daly teaches a method and apparatus wherein consumer provides personal information relating to consumer including personal preferences, payment instructions and privacy instructions, as disclosed and analyzed in claims 8 and 45, above. Traderonline/Dean /Wells/Daly does not disclose that the instructions also include instructions to complete transactions in an anonymous manner. However, Matsuoka teaches completing transactions in an anonymous manner (at least see, col.6, lines 38-43, "*....The displaying unit 24 displays a list of commodities to be provided while making the name of a commodity provider anonymous....*", col.10, line47-col.11, line 14, col.15, lines 26-31, col.29, lines 50-53, "*...Furthermore, a commodity receiver may be made anonymous to a commodity provider...*", and col.31, lines 16-18). In view of Matsuoka, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to combine its features completing the transactions in anonymous manner in Traderonline/Dean/Wells/Daly. Doing so would help to keep the privacy of the consumer intact and protecting him from unwanted mail and offers from merchants, as per the knowledge generally available and also will help to stop human relationships suffering if transactions are not completed, as suggested in Matsuoka (at least see, col.10, lines 47-55). Note: Regarding claim 48 it does not require the combination of Wells reference as the independent claim 45 does not include the new limitations added to claims 1 and 18.

3.5. Claims 25, 32-33, 37, 42-44, & 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Wells in view of Meade, II (US Patent 6,405,214 B1).

With regards to claims 25, 32-33, 37, 42-44 and 71, all the limitations are covered and



analyzed in claims method claims 1, 3, 6-7, 9-11 and 70 above, except for the limitation, "updating the list of preferred providers based upon one or more providers chosen by the consumer to compete the transaction".

Traderonline/Dean/Wells does not disclose updating the list of preferred providers based upon one or more providers chosen by the consumer to complete the transaction.

In the field of same endeavor, that is organizing personal information in a database, Meade teaches the step of updating the list of preferred providers based upon one or more providers chosen by the consumer to compete the transaction (see at least col.2, lines 31-44, "... Cookies can also be used for tracking the path of a user through a website .....Perhaps the most prevalent use of cookies is database marketing... Information in cookies can be used to compile a database profile of Internet use of a specific individual. The profile can include such information as sites visited.....". Note: The web sites visited in Meade, II correspond to the providers chosen by the consumer in the claim. Every time when an user visits a web site the information being stored in the cookies about the web sites visited by user satisfies the limitation of this claim).

In view of Meade, II, It would be obvious to a person of an ordinary skill in the art at the time of the applicant's invention to modify Traderonline/Dean/Wells to include the concept of updating the list of preferred providers based upon one or more providers chosen by the consumer to compete the transaction. Doing so would enable compiling a database profile of an Internet user and that database profile can be used for promoting and advertising user specific products, as explicitly disclosed in Meade, II 9(see at least col.2, lines 40-55).

3.6. Claims 26-27, are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Wells in view of Meade, II and further in view of Turner.

With regards to claims 26-27, the recited limitations are covered in claims 5 and 22-23 and are therefore analyzed and rejected as unpatentable over Traderonline/Dean in view of Meade, II and further in view of Turner as applied to claim 25 on the basis of same rationale.

3.7. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Wells in view of Meade, II.

With regards to claim 28, the recited limitations are covered in claim 2 and are therefore analyzed and rejected as unpatentable over Traderonline/Dean/Wells/Meade, II applied to claim 25 above on the basis of same rationale.

3.8. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Wells/Meade/Turner and further in view of Matsuoka (US Patent 6,038,537).

With reference to claim 29, Traderonline/Dean/Wells/Meade/Turner teaches a method and apparatus wherein consumer provides personal information relating to consumer including personal preferences, payment instructions and privacy instructions, as disclosed and analyzed in claim 26 above. Traderonline/Dean/Wells/Meade/Turner does not disclose that the instructions also include instructions to complete transactions in an anonymous manner. However, Matsuoka teaches completing transactions in an anonymous manner (at least see, col.6, lines 38-43, "*....The displaying unit 24 displays a list of commodities to be provided while making the name of a commodity provider anonymous....*", col.10, line47-col.11, line 14, col.15; lines 26-31, col.29, lines 50-53, "*...Furthermore, a commodity receiver may be made anonymous to a commodity provider...*", and col.31, lines 16-18). In view of Matsuoka, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to combine its features completing the transactions in anonymous manner in

Traderonline/Dean/Wells/Meade/Turner. Doing so would help to keep the privacy of the consumer intact and protecting him from unwanted mail and offers from merchants, as per the knowledge generally available and also will help to stop human relationships suffering if transactions are not completed, as suggested in Matsuoka (at least see, col.10, lines 47-55).

3.9. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Wells and further in view of Bi et al. (US Patent 6,311,178), hereinafter, referred to as Bi.

With regards to claim 17, Traderonline/Dean/Wells teaches a method as disclosed in claim 1. Traderonline/Dean/Wells does not disclose further the steps of tracking and ranking a satisfaction level of said consumer. However, in the same field of electronic commerce, Bi teaches tracking and ranking a satisfaction level of said consumer (at least see, abstract, *"...Advantageously, said requirement ...has a search score indicating satisfaction level of said user....ranking of said matching results...."*, col.2, lines 12-55). In view of Bi, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to combine its features of tracking and ranking a satisfaction level of said consumer in Traderonline/Dean/Wells. Doing so would help the consumers in Traderonline/Dean/Wells system to be able to not only see offers which match their requirements but ones which satisfy them more than they needed and store these merchants names in their personal preference database for future use.

4.0. Claims 30-31, and 38-39, are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Wells in view of Meade, II (US Patent 6,405,214 B1) and further in view of Daly.

The limitations of claims 30-31, and 38-39 are already covered in claims 8, 12, 14-16, and 46-47 above and are therefore analyzed and rejected similarly.

4.1. Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Wells/Meade/Matsuoka.

The limitations of claim 40 are already covered in claim 48 and is therefore analyzed and rejected similarly.

42. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Wells/Meade and further in view of Matsuoka.

The limitations of claim 41 correspond to the limitations recited in claims 13 and 29 that is of maintaining the anonymity of the consumer and are therefore analyzed and rejected similarly.

4.3. Claim 49 is rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Daly and further in view of Matsuoka.

The limitations of claim 49 correspond to the limitations recited in claims 13 and 29 that is of maintaining the anonymity of the consumer and are therefore analyzed and rejected similarly.

4.4. Claims 56-57, 59-60, 64-65, and 67-68, are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean and further in view of Daly et al. (US Patent 5,878,141), hereinafter, referred to as Daly.

The limitations of claims 56-57, 59-60, 64-65, and 67-68 correspond to the limitations recited in claims 8, 11, 14 and 15 and are therefore analyzed and rejected similarly.

4.5. Claims 58 and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean and further in view of Matsuoka.

The limitations of claims 58 and 66 correspond to the limitations recited in claims 13 and 29 that is of maintaining the anonymity of the consumer and are therefore analyzed and rejected similarly.

4.6. Claims 73-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Wells and further in view of Meade, II (US Patent 6,405,214 B1).

With regards to claims 73-75, Traderonline/Dean teaches a method and a system of maintaining a database of a consumer's personal information, receiving a request from a consumer and selecting a preferred provider from the consumer's database for the consumer's request as disclosed and analyzed in claims 1 and 18 above.

Traderonline/Dean does not disclose the step of updating automatically the personal information and updates of the personal information relating to the consumer in the database so that the preferred providers are updated to reflect the consumer choosing a provider from the selected at least one provider to communicate herewith.

In the field of same endeavor, that is organizing personal information in a database, Meade teaches the step of updating automatically the personal information and updates of the personal information relating to the consumer in the database so that the preferred providers are updated to reflect the consumer choosing a provider from the selected at least one provider to communicate herewith (see at least col.2, lines 31-44, "...Cookies can also be used for

Art Unit: 3625

tracking the path of a user through a website .....Perhaps the most prevalent use of cookies is database marketing... Information in cookies can be used to compile a database profile of Internet use of a specific individual. The profile can include such information as sites visited.....".

Note: The web sites visited in Meade, II correspond to the providers chosen by the consumer in the claim. Every time when an user visits a web site the information being stored in the cookies about the web sites visited by user satisfies the limitation of this claim).

In view of Meade, II, It would be obvious to a person of an ordinary skill in the art at the time of the applicant's invention to modify Traderonline/Dean to include the concept of updating automatically the personal information and updates of the personal information relating to the consumer in the database so that the preferred providers are updated to reflect the consumer choosing a provider from the selected at least one provider to communicate herewith. Doing so would enable compiling a database profile of an Internet user and that database profile can be used for promoting and advertising user specific products, as explicitly disclosed in Meade, II (see at least col.2, lines 40-55).

4.7. Claims 76-77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/Dean/Daly and further in view of Meade, II (US Patent 6,405,214 B1).

With regards to claims 76-77, their limitations are covered in claims 73-74 and are therefore analyzed and rejected similarly.

4.8. Claims 78-79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Traderonline/ Dean and further in view of Meade, II (US Patent 6,405,214 B1).

With regards to limitations 78-79, they are covered in claims 73-74 and are therefore analyzed and rejected as unpatentable over Dean/Traderonline applied to claims 53 and 61 above and further in view of Meade, II on the basis of same rationale.

### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

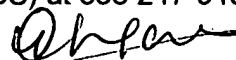
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C Garg whose telephone number is 703-306-0252. The examiner can normally be reached on M-F(8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

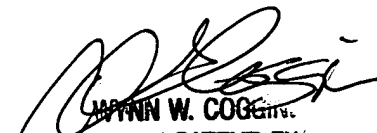
Art Unit: 3625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Yogesh C Garg  
Examiner  
Art Unit 3625

YCG  
December 26, 2004



WYNN W. COGGESHALL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600